

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MICHAEL R. WARE,

Plaintiff,

vs.

U.S. DEPARTMENT OF THE INTERIOR
AND BUREAU OF LAND MANAGEMENT,

Defendants.

O R D E R
Civ. No. 05-3033-CO

AIKEN, Judge:

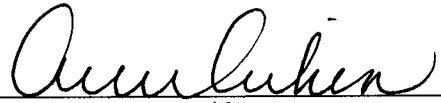
Magistrate Judge Cooney filed his Findings and Recommendation on February 28, 2006. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When a party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate's report. 28 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff has timely filed objections. I have, therefore, given the file of this case a de novo review. I ADOPT the Magistrate's Findings and Recommendation (doc. 12) that this court lacks subject matter jurisdiction under the Administrative

1 Procedures Act, 28 U.S.C. § 704. Therefore, this case is
2 dismissed due to lack of jurisdiction.

3 IT IS SO ORDERED.

4 Dated this 13 day of April 2005.

5
6
7 

8 Ann Aiken
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28